



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
STEPHEN L. BALL

Serial No.: 09/830,806

Filed: April 30, 2001

For: APPARATUS AND METHOD FOR
OBTAINING 3D IMAGES

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Atty. Dkt. No.: 11783.0017.PCUS00

**PETITION FOR THE ACCEPTANCE OF AN UNINTENTIONALLY
DELAYED CLAIM FOR PRIORITY UNDER 37 CFR §1.78(a)(2)**

Commissioner for Patents
Washington, DC 20231

Madam,

CERTIFICATE OF MAILING

37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below:

9-10-01
DATE

Barli Sofia
SIGNATURE

Applicant claims priority to the following applications:

British patent application No. 9823463.6, filed October 28, 1998

British patent application No. 9920460.4, filed August 31, 1999

International Application PCT/GB99/03518, filed October 28, 1999

This priority claim is referenced in the accompanying amendment to the specification and application data sheet. The amendment to the specification is submitted to reflect the Claim for Priority under 35 U.S.C. §119, which was made in the Inventor Declaration filed July 27, 2001 and to claim priority to the PCT filed international application (PCT/GB99/03518). Priority to the two British applications was properly claimed in the PCT application (PCT/GB99/03518),

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and certified copies of both British applications were submitted to the International Bureau during prosecution of the PCT application.

The entire delay between the date the priority claim was due under paragraph (a)(2) of 37 CFR §1.78 and the date the priority claim above is being filed was unintentional.

It is not clear from the rules whether this petition is necessary.¹ If, however, this petition is required to obtain the benefit of the priority applications, the Commissioner is authorized to deduct \$1,240.00 from Deposit Account 01-2508/11783.0017.

If any other fees are required in connection with this paper, the Commissioner is authorized to deduct the fees from Deposit Account 01-2508/11783.0017.

Respectfully submitted,



Robert P. Auerbach
Reg. No. 46,525

Date: September 10, 2001

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¹ A call was made to the PCT Helpdesk at the USPTO, and a PTO representative was of the opinion that no amendment to the specification was necessary, and that the priority claims would carry through from the PCT application. However, the current rule under 37 USC §1.78 suggests that a priority claim in the specification in the specification or data sheet is necessary.